

Responses to "Technical Assistance" Portion of Planner Questionnaire
Compiled for the Local Government Subcommittee
February 2006

	<i>Who provides technical assistance to staff and the governing body when questions regarding planning and development arise?</i>	<i>Is this arrangement working, or what could be done to improve the resources available?</i>	<i>What types of questions or situations usually encourage technical assistance to be sought?</i>	<i>Are there other programs related to planning in which technical assistance is needed?</i>
Beaverhead Co.	--county attorney's office to some degree --Myra Shults, MACo --in-house planner	"We need some central source of information so that you don't have 50 plus counties 'doing their own thing' interpreting the law."	Legal questions related to: -- exemptions --surveys --whether local regulations comply with the law	Yes "Review policies from the county for legality. Legal answers for complex land use issues. Workshops and other technical assistance guidebooks. Someone needs to publish the little book that CTAP put out each year after the legislature met...."
City of Billings	--city or county attorney for legal advice --other community planners for planning advice	"No - our attorneys always seek other attorneys' advice, results in lack of consistency."	Interpretation of state planning, subdivision , and annexation statutes.	Yes. --road law --property law --contract law --development design and construction --new planning practices --national/state initiatives --fees --organization of planning office
City of Bozeman	--local (in-house) planning, legal, and other staff are first responders to City Commission questions --"Bozeman has one of the more experienced and larger staffs in the state which provides a significant local resource." --local staff also consult with other planners, the American Planning Association, and other relevant associations and publications	"Bozeman would prefer additional support in implementing state mandates rather than having to take best estimates of legislative intent and interpretation and hope the courts agree with our interpretations." "Various requirements in state planning, zoning, subdivision , and annexation law add significant time and cost burdens..." "Past resources for training, summary publications, and specific issue consultation available through the CTAP program were very useful in providing a statewide perspective as well as guidance on interpretation."	Previously unaddressed issues or where existing approaches are insufficient to the need; new statutes. Examples: coordinating public safety, zoning , water quality improvements, wildlife habitat, and flooding hazard mitigation into single coordinated regulations; parkland dedication; interactions between zoning regulations and private covenants.	Yes. --transportation planning -- zoning -- subdivision --historic preservation --infrastructure funding --wildlife and other habitat issues --water quality
Broadwater Co.	--Broadwater County's private consultant, Morrison-Maierle, Inc.	"Yes, seems to be working okay." Would like to see a Community Technical Assistance Program reinstated through the state.	--road issues (legal access) --survey requirements -- subdivision exemptions	Yes. -- GIS training, using GIS for planning -- floodplain management --"development of impact fees without paying a consultant thousands of dollars to do a feasibility study."
Butte-Silver Bow	--county attorney's office	"It works ok. Having the state's CTAP back would be very beneficial."	Subdivision and zoning -related questions.	Yes. -- subdivisions -- zoning
Carbon Co.	--county attorney	"Yes but it could be improved by increasing funding to allow for an increase to 1 FTE for planning."	Implementation and interpretation of new laws.	Yes. -- floodplain management --review of subdivision plats and water studies
Cascade Co.	--city attorney	When CTAP existed, called program staff regularly.	"Gray areas. We usually provide more assistance than we request."	No.

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Custer Co.	--local attorney --other communities' planning and code enforcement staff	"A central staff with both legal (attorney) and practical (planner) as was eliminated by the 2003 legislature was an essential resource. Reinstate local technical assistance program at the state level."	"Both legal and practical assistance are needed. The scope of assistance needed depends upon the experience of the local planning staff."	Yes. -- zoning -- floodplain administration -- long term planning
Dawson Co.	--contract planner from Custer Co.	"Not working well! Need a local planner!!! Badly. Need on-site staff planner to comply with the ever changing requirements."	--Findings of Fact --Environmental Assessments	Yes. -- floodplain management
Fallon Co.	--county attorney --county sanitarian	"Since we do not have much activity this works. We are forming a TIFID so may need more help later."	--DEQ-related issues -- floodplain issues	Yes. -- floodplain --DEQ related -- GIS updates
Fergus Co.	--MACo land use lawyer Myra Shults	"Yes, works very well."	Verification that documents and regulations are adequate.	No.
Gallatin Co.	--private sector attorneys --private sector planning consultants --county attorney --deputy county attorney --other planning jurisdictions	Working fairly well.	"You name it. We keep our deputy county attorney busy."	Yes. -- floodplain (is working with a consultant) -- long-range planning (has hired consultants)
City of Great Falls	--other planning agencies --available applicable planning publications --online resources	"Working to an extent, but having central knowledgeable contact that could generate publications or guidelines on issues commonly inquired about could save each local planning agency from starting from scratch."	"Legal interpretations and implementation of new or revised statutes adopted by the Legislature."	
City of Helena	--city attorney --county attorney --other planning departments --APA publications and other planning related material	"The resources are knowledgeable; the timeframe may be too short to give a more complete response."	-- zoning and zoning enforcement questions --some subdivision questions as they relate to appropriateness of conditions	Yes. --neighborhood and downtown revitalization
Hill Co.	--county attorney --MACo "Desperately need local govt support again from a state planning staff ."	"It is working to some degree, but many questions remain unanswered."	"Gray areas within the laws or rules. Remainders, exemptions used."	Yes. -- GIS , mapping
Lewis & Clark Co.	"We use consulting engineers to conduct traffic impact studies for major subdivision proposals and to draft preliminary engineering reports for potential water and wastewater projects."	"The arrangement is marginal at best. Short of our jurisdiction hiring engineers, etc., I am not sure if outside resources could help the situation."	--traffic --water and wastewater	Yes. --traffic --fire protection --engineering (water availability issues and wastewater issues)
McCone Co.	"The major assistance the county received was through the Community Technical Assistance Program ...[T]his program was not funded by the 2003 [Legislature]. Some of the assistance was absorbed by the CDBG and Treasure State Endowment programs, but their expertise is grants and not the day to day things of land use planning."	"Arrangement is not working. State should fund the Department again with assistance (not financial) from Montana Association of Planners."	-- subdivision review requirements --review process --sanitation --requirements of growth policy	Yes. -- GIS

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Miles City (same as Custer Co.)	--local attorney --other communities' planning and code enforcement staff	"A central staff with both legal (attorney) and practical (planner) as was eliminated by the 2003 legislature was an essential resource. Reinstate local technical assistance program at the state level."	"Both legal and practical assistance are needed. The scope of assistance needed depends upon the experience of the local planning staff."	Yes. -- zoning -- floodplain administration -- long term planning
Mineral Co.	--Myra Shults --other planners	Yes.	--procedural, past omissions	Yes. -- GIS training
City of Polson	--in-house staff --city attorney --other planners	"I'd like a willing experienced/seasoned planner as a regular contact and resource..."	"When an application is received that the City has not dealt with before, like the most recent SuperWalMart application."	Yes. --wetlands --"...dealing with a group of citizens (~24) that say they speak on behalf of the whole city (4,200+) and want the City government to rule/move in their favor or they get hostile; and lately just start off hostile."
Pondera Co.	--county land planner (independent contractor) --county sanitarian	"working but wish there were more trained people as contractors so could have choices."	-- exemptions --sanitary restrictions --remainders	No.
Prairie Co.	--Myra Shults --county attorney --district sanitarian	It is working.	-- exemptions --DEQ regulations --access issues	
Powell Co.	--MACo - legal --consultant - technical	"Resurrect the planning group in the Department of Commerce. "	--legal	Yes. --" Floodplain management - most applications are straight forward and some need technical assistance from state floodplain coordinator."
Sheridan Co.	--Myra Shults	"Sort of. Restore Community Technical Asst Program. "	-- subdivision review --airport zoning	Yes. -- GIS
Stillwater Co.	--various county attorneys --former Department of Commerce attorney --other interested attorneys		--opinions or decisions involving statutes related to planning and development	
Teton Co.	--MACo --consultant from adjacent county	"MACo is not enough. More training and ongoing education for small counties to keep pace."	-- exemptions -- subdivision review	Yes. --"simplify floodplain mgt. and update information."
Treasure Co.	--"our Subdivision Administrator...now that TSEP [CTAP ?] is no longer available to us."	It is working. "Having TSEP [CTAP] personnel available was of great help and would be appreciated once again if it were to become available."	"How do you do this? What should I be doing to get this done? Where do I find the information that I need?..."	Yes. --maps of the area -- GIS --new model subdivision regulations, especially "some that, as a lay person, I can understand what it is that I am writing and...so that my Board can understand what it is that the Subdividers will have to understand too."

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Yellowstone Co.	--city attorney --county attorney	"This works ok."	--conflict of interest --procedure --conflicts in state law --legality of conditions	Yes. --best practices --comparisons with other jurisdictions in Montana -- floodplain management "I would like to comment that any technical assistance developed should have the main focus of customer service and problem solving rather than taking a limited, conservative direction, as is sometimes adopted by attorneys."